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SUR LA TABLE, INC.  
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15 UNITED STATES DISTRICT COURT  
16 NORTHERN DISTRICT OF CALIFORNIA

17 AARON PALM, on behalf of himself and all  
18 others similarly situated,

Case No. 12-cv-01250-JCS

19 Plaintiffs,

**STIPULATION AND [PROPOSED]  
ORDER TO CONTINUE CLASS  
CERTIFICATION AND PRE-TRIAL  
DEADLINES**

20 vs.

21 SUR LA TABLE, INC., a Corporation, and  
DOES 1-25

22 Defendants,

23  
24 **STIPULATION AND [PROPOSED] ORDER TO  
CONTINUE CLASS CERTIFICATION AND PRE-TRIAL DEADLINES**

1. WHEREAS the parties agreed to, and the Court subsequently ordered that, the parties participate in mediation.

2. WHEREAS the initial mediation deadline was December 5, 2012, but the parties agreed to postpone the mediation to January 15, 2013.

3. WHEREAS the parties have agreed to again briefly postpone the mediation to allow time for further discovery that the parties anticipate will facilitate a more productive mediation.

4. WHEREAS the mediation has been rescheduled for March 15, 2013.

5. WHEREAS in the event the case is not resolved at mediation, the parties will need more time after the mediation to complete discovery on the individual claims and for class certification.

6. WHEREAS, Defendant has advised Plaintiff that it will not agree to a further postponement of the mediation.

7. THE PARTIES THUS STIPULATE AND JOINTLY REQUEST THAT the following discovery and motion deadlines set forth in the Court's Case Management and Pre-Trial Order be postponed as follows:

- **Class Certification Claims**

- Plaintiff's class certification expert disclosure deadline: May 10, 2013;
- Defendant's class certification expert disclosure deadline: June 7, 2013;
- Deadline for all expert disclosures in connection with class certification required by Federal Rules of Civil Procedure: July 12, 2013;
- Class certification non-expert discovery cut-off: July 12, 2013;
- Deadline to exchange rebuttal expert reports for class certification:

August 14, 2013;

- Class certification expert discovery cut-off: September 6, 2013;
- Class certification motion filing deadline: September 27, 2013;
- Class certification motion opposition filing deadline: November 8, 2013;
- Class certification motion reply filing deadline: December 6, 2013;
- Class certification motion hearing: January \_\_\_\_\_, 2013, at  
\_\_\_\_\_, date and time to be determined by the Court.

## Individual Claims

- Plaintiff's expert disclosure deadline: April 19, 2013;
- Defendant's expert disclosure deadline: May 17, 2013;
- Deadline for exchange of expert reports: June 14, 2013;
- Non-expert discovery cut-off: August 9, 2013;
- Deadline for all expert disclosures required by Federal Rules of Civil Procedure: July 15, 2013;
- Deadline to exchange rebuttal expert reports: August 16, 2013;
- Expert discovery cut-off: September 13, 2013.

All other dates remain unchanged - JCS.

Date: January 11, 2013

HOYER & ASSOCIATES

David C. Lipps  
Attorney for Plaintiff  
AARON PALM

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**STIPULATION AND [PROPOSED] ORDER TO  
CONTINUE CLASS CERTIFICATION AND PRE-TRIAL DEADLINES**

1 Date: January 11, 2013

GIBSON, DUNN & CRUTCHER LLP

2 /s/

3 Michele L. Maryott  
4 Deirdre P. Lanning  
5 Attorneys for Defendant  
6 SUR LA TABLE, INC.

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8 Date: 1/15/13

IT IS SO ORDERED.

